

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:17-CR-00293 BSM

MARCUS MILLSAP

DEFENDANT

ORDER

Marcus Millsap's renewed motion for judgment of acquittal [Doc. No. 2266] is denied. Millsap moved for acquittal at the close of the government's case in chief, but I withheld ruling on the motion so that I could thoroughly consider it. Now, having fully considered the motion, and having considered the renewed motion, I find that the jury had sufficient evidence upon which it could reasonably find Millsap guilty on count two of the second superseding indictment. *See United States v. Pardue*, 983 F.2d 843, 847 (8th Cir. 1993) ("A motion for judgment of acquittal should only be granted where the evidence, viewed in the light most favorable to the government, is such that a reasonably minded jury *must* have a reasonable doubt as to the existence of any essential elements of the crimes charged") (emphasis in original).

IT IS SO ORDERED this 25th day of October, 2021.


UNITED STATES DISTRICT JUDGE